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SENATE BILL 161

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Cynthia Nava

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION ARTICULATION; REQUIRING A COMMON
COURSE NAME AND NUMBERING SYSTEM FOR LOWER-DIVISION COURSES IN
PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS; REQUIRING
ACCEPTANCE OF TRANSFER MODULES; REQUIRING INSTITUTIONS TO
REIMBURSE STUDENTS FOR COSTS OF COURSES NOT ACCEPTED FOR
TRANSFER; REQUIRING REPORTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-1B-1 NMSA 1978 (being Laws 1995,
Chapter 224, Section 1) is amended to read:

"21-1B-1. SHORT TITLE. -- [~~Sections 1 through 6 of this
act~~] Chapter 21, Article 1B NMSA 1978 may be cited as the
"Post-Secondary Education Articulation Act". "

Section 2. Section 21-1B-2 NMSA 1978 (being Laws 1995,
Chapter 224, Section 2) is amended to read:

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1 "21-1B-2. DEFINITIONS. -- As used in the Post-Secondary
2 Education Articulation Act:

3 A. "articulation" means the transfer of course
4 credit from one institution to another;

5 B. "commission" means the commission on higher
6 education;

7 C. "discipline module" means lower-division
8 courses, including the general education core, that meet the
9 lower-division college-level requirements for a specific
10 degree;

11 D. "general education core" means the grouping of
12 general education courses that are established by the
13 commission for transfer and that are accepted by all
14 institutions for transfer purposes;

15 [~~E.~~] E. "institution" means an accredited, public
16 post-secondary educational institution operating in the state;
17 and

18 [~~D.~~] E. "module" or "transfer module" means a
19 standardized list of courses [~~or skills~~] established by the
20 commission for which credit is accepted for transfer from one
21 institution to another. "

22 Section 3. Section 21-1B-3 NMSA 1978 (being Laws 1995,
23 Chapter 224, Section 3) is amended to read:

24 "21-1B-3. ARTICULATION PLAN--DEVELOPMENT--
25 IMPLEMENTATION--ESTABLISHMENT OF TRANSFER MODULE. --

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1 A. The commission shall establish and maintain a
2 comprehensive statewide plan to provide for the articulation of
3 educational programs and facilitate the transfer of students
4 between institutions.

5 B. In establishing a statewide articulation plan,
6 the commission shall:

7 (1) establish a common course naming and
8 numbering system for all courses identified as substantially
9 equivalent lower-division courses; provided that the commission
10 shall establish an interim mechanism of a statewide equivalency
11 table that uses a universal taxonomy to identify substantially
12 equivalent courses until the common system is in place; and

13 (2) define, publish and maintain modules of
14 lower-division courses accepted for transfer at all
15 institutions and meeting requirements for lower-division
16 requirements established for associate and baccalaureate
17 degree-granting programs.

18 C. The commission shall ensure that institutions
19 develop transfer modules that include [~~a minimum of~~] up to
20 sixty-four hours of lower-division college-level credit.

21 [~~C.~~] D. Transfer modules shall include a common
22 general education core component of not less than thirty-five
23 semester hours. This general education core shall include a
24 comprehensive array of lower-division college-level courses
25 designed to demonstrate skills in communication, mathematics,

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1 science, social and behavioral science, humanities, fine arts
2 or comparable areas of study coordinated for the purpose of
3 providing a foundation for a liberal education for all programs
4 normally leading to a baccalaureate degree. The general
5 education core shall transfer as a block and count as
6 fulfilling thirty-five credit hours of required lower-division
7 coursework toward a degree, and any course in the core shall be
8 transferable and shall count as credit hours toward fulfilling
9 an institution's general education core requirements.

10 E. Any course in the general education core may be
11 offered for dual credit to secondary school students and, upon
12 successful completion, the course shall be transferable to any
13 institution and shall count as fulfilling a required
14 lower-division course.

15 F. A discipline module shall consist of an
16 agreed-upon number of hours and courses, including the general
17 education core, not to exceed sixty-four hours applicable to
18 the discipline and any course within the discipline module is
19 transferable and shall count toward fulfilling degree
20 requirements at an upper-division institution.

21 G. The commission shall establish procedures to
22 identify additional lower-division credit courses to be
23 included in the common course numbering and naming system that
24 are transferable among institutions and applicable to
25 requirements for completion of baccalaureate degrees."

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1 Section 4. Section 21-1B-4 NMSA 1978 (being Laws 1995,
2 Chapter 224, Section 4) is amended to read:

3 "21-1B-4. [~~UTILIZATION~~] USE OF TRANSFER MODULE--TRANSFER
4 OF CREDITS. --

5 A. Each institution shall accept for transfer
6 course credits earned by a student at any other institution
7 that are included in a transfer module. Transfer credits shall
8 be accepted to meet lower-division graduation requirements of
9 an institution's degree-granting programs. This provision also
10 applies to any course that is part of a transfer module.

11 B. [~~A public post-secondary~~] An institution shall
12 not increase requirements for degree-granting programs as a
13 result of the [~~utilization~~] use of a transfer module [~~An~~
14 ~~institution may specify additional lower-division or~~
15 ~~upper-division requirements for one or more programs of study,~~
16 ~~provided that those requirements apply equally to transfer~~
17 ~~students and students originating their study at the~~
18 ~~institution.~~

19 C. ~~The commission shall establish and maintain~~
20 ~~procedures to identify additional lower-division credit courses~~
21 ~~in specific disciplines of study such as business, engineering,~~
22 ~~technology, education, health and arts and sciences that will~~
23 ~~be transferable among institutions and applicable to~~
24 ~~requirements for completion of baccalaureate degrees in~~
25 ~~specific programs of study.] or acceptance of a course that is~~

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1 part of a transfer module.

2 C. Each institution shall accept completed transfer
3 modules in total as a block and shall count the modules,
4 whether they are the general education core or a specific
5 discipline module, as fulfilling required lower-division
6 coursework. Upon transfer of a discipline module, a student
7 shall be granted admission to the upper-division program,
8 except in limited access programs."

9 Section 5. Section 21-1B-5 NMSA 1978 (being Laws 1995,
10 Chapter 224, Section 5) is amended to read:

11 "21-1B-5. OVERSIGHT OF ARTICULATION PROGRAMS-- COMPLAINT
12 PROCEDURES. --

13 A. The commission shall establish and maintain a
14 process to monitor and improve articulation through frequent
15 and systematic consultation with institutions. Institutions
16 shall monitor the progress of each transfer student and provide
17 appropriate information to the student's originating
18 institution.

19 B. The commission shall establish a complaint
20 procedure for transfer students who fail to receive credit for
21 courses contained in a transfer module taken at another
22 institution. The commission may set standards for determining
23 bona fide complaints, including a requirement that students
24 follow institutions' internal procedures for resolving
25 complaints prior to submitting them to the commission. The

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1 commission shall investigate all articulation complaints and
2 render decisions as to the appropriateness of the actions of
3 the participants.

4 C. Prior to December 31 of each year, the
5 commission shall summarize all articulation complaints filed
6 with the commission and the decisions of the commission with
7 regard to those complaints. For those complaints for which the
8 commission finds merit, the commission shall calculate the
9 number of credits refused at the receiving institution and
10 recommend a corresponding reduction of legislative funding to
11 the next session of the legislature.

12 D. If a student's articulation complaint is upheld,
13 the receiving institution shall reimburse the student the
14 complete cost, including tuition, books and fees, of each
15 course the student was required to repeat at the receiving
16 institution. "

17 Section 6. A new section of the Post-Secondary Education
18 Articulation Act is enacted to read:

19 "[NEW MATERIAL] ARTICULATION COMPLAINT PROCESS- -
20 NOTIFICATION. --The receiving institution shall publish in the
21 student handbook or otherwise notify transfer students of the
22 complaint process to be followed in the event that a transfer
23 module course is not accepted for credit. The notification
24 shall include the remedy available to the student if the
25 complaint is upheld. "

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1 Section 7. Section 21-1B-6 NMSA 1978 (being Laws 1995,
2 Chapter 224, Section 6) is amended to read:

3 "21-1B-6. REPORTING. --

4 A. Prior to December 31 of each year, the
5 commission shall report to the legislative finance committee,
6 the legislative education study committee and the governor
7 regarding the status of articulation programs and the transfer
8 of students between institutions.

9 B. The report developed by the commission shall
10 include an analysis of the number of students transferring
11 between campuses, the number of credits being requested and
12 accepted for transfer, institutions denying transfer of credits
13 and reasons for denial, the progress of transfer students at
14 receiving institutions, the average number of credit hours
15 taken by graduating transfer students compared to the average
16 number of credit hours taken by graduates who originated at the
17 institution and a summary of student complaints regarding
18 articulation. The report shall include data and other
19 information obtained on both a statewide and individual
20 institution basis.

21 C. The report shall look at outcomes with regard to
22 such factors as transfer rates, persistence rates after
23 transfer and graduation rates.

24 [~~C.~~] D. The report shall identify each institution
25 against which a meritorious complaint has been filed. The

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1 report shall summarize the recommendations of the commission
2 with regard to funding reductions at those institutions.

3 ~~[D-]~~ E. All institutions shall provide articulation
4 information required by the commission for the development of
5 the annual report prior to September 30 of each year.

6 F. The general education core, the discipline
7 module for business and early childhood education and the
8 common course numbering and naming system for all courses in
9 those modules shall be effective by spring semester 2006, and
10 the printed materials of all institutions shall conform to the
11 system by fall 2006. A minimum of three additional discipline
12 modules shall be effective not later than fall semester 2007
13 and an additional three discipline modules by fall semester
14 2008."